

Application No.: 10/014,220

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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-20 are canceled.

Claim 21 (Currently amended) An isolated animal cell and progeny thereof whose genomic DNA comprises at least one copy of a chromosomally integrated transgene comprising (1) a transcriptional start site; (2) a promoter operably linked to the transcriptional start site; and (3) an enhancer operably linked to the promoter, the enhancer comprising the nucleotide sequence of SEQ ID NO:1,

wherein the cell expresses transcripts driven by the promoter, the level of expression being positively correlated with the copy number of the transgene, ~~wherein said cell is from an animal.~~

Claim 22 (Currently amended) The isolated animal cell and progeny thereof of claim 21, wherein the animal cell is selected from the group consisting of pig, rat, cow, rabbit, goat, guinea pig, prairie baboon, squirrel, monkey, chimpanzee, frog, toad, chicken, turkey and sheep cells.

Claim 23 (Currently amended) The isolated animal cell and progeny thereof of claim 22, wherein the DNA contains more than 5 copies of the transgene.

Claim 24 (Currently amended) The isolated animal cell and progeny thereof of claim 23, wherein the DNA contains more than 15 copies of the transgene.

Claim 25 (Currently amended) The isolated animal cell and progeny thereof of claim ~~21~~ 24, wherein the promoter drives the transcription of a mRNA encoding a polypeptide, the transcription beginning from the transcriptional start site.

Claim 26 (Currently amended) The isolated animal cell and progeny thereof of claim 25, wherein the polypeptide is a growth hormone.

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Claim 27 (Currently amended) The isolated animal cell and progeny thereof of claim ~~21~~ 26, wherein the promoter is a ζ -globin promoter.

Claim 28 (Currently amended) The isolated animal cell and progeny thereof of claim ~~21~~ 27, wherein the enhancer further comprises SEQ ID NO:2.

Claim 29 (Currently amended) The isolated animal cell and progeny thereof of claim ~~21~~ 28, wherein the enhancer further comprises SEQ ID NO:3.

Claim 30 (Currently amended) The isolated animal cell and progeny thereof of claim 21, wherein the expression of the transgene is independent of its position in the DNA.

Claim 31 (Currently amended) The isolated animal cell and progeny thereof of claim 21, wherein the nucleic acid further comprises a transcriptional termination signal.

Claim 32 (New) The isolated animal cell and progeny thereof of claim 21, wherein the promoter is a ζ -globin promoter.

Claim 33 (New) The isolated animal cell and progeny thereof of claim 21, wherein the enhancer further comprises SEQ ID NO:2.

Claim 34 (New) The isolated animal cell and progeny thereof of claim 21, wherein the enhancer further comprises SEQ ID NO:3.

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